## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:21-CV-00020-DSC

TANEISHA T GILLIAM,	)	
Plaintiff,	)	
<b>v.</b>	)	<u>ORDER</u>
COMMISSIONER OF SOCIAL SECURITY ,	) ) )	
Defendant.	)	

Pending before the Court is Plaintiff-Appellant's Motion for Attorney's Fees under the Equal Access to Justice Act (EAJA). Plaintiff's Counsel and Defendant's Counsel have conferred, and Defendant consents to Plaintiff's Motion for Attorney's Fees. Plaintiff-Appellant has assigned her rights to any attorney's fees payable under EAJA to her Counsel. Accordingly, the Court GRANTS Plaintiff-Appellant's Motion for Attorney's Fees. Defendant is ordered to pay \$3,516.69 in full satisfaction of any and all claims arising under the EAJA, 28 U.S.C. § 2412(d).

Pursuant to the United States Supreme Court's ruling in Astrue v. Ratliff, 130 S. Ct. 2521 (2010), these attorney's fees are payable to Plaintiff as the prevailing party and are subject to offset through the Treasury Department's Offset Program to satisfy any pre-existing debt Plaintiff may owe to the Government. If subsequent to the entry of the Court's EAJA Order, the Commissioner determines that Plaintiff owes no debt to the Government that would subject this award of attorney's fees to offset, the Commissioner may honor Plaintiff's signed assignment of EAJA fees providing for payment of the subject fees to Plaintiff's counsel rather than to Plaintiff. If however, the Commissioner discovers that Plaintiff owes the Government any debt subject to offset, the

Commissioner shall pay any attorney's fees remaining after such offset to Plaintiff rather than to Counsel.

The Clerk is directed to send copies of this Order to counsel for the parties.

SO ORDERED.

Signed: December 20, 2021

David S. Cayer

United States Magistrate Judge